

REMARKS

In accordance with the foregoing, claims 23, 39, 40, 51, 57, 61 and 63 have been amended, and claim 38 has been canceled without prejudice or disclaimer. No new matter is being presented. Therefore, claims 1, 3-12, 14-17, 19-37, and 39-64 are pending and reconsideration is respectfully requested.

ENTRY OF AMENDMENT UNDER 37 C.F.R. §1.116:

Applicants request entry of this Rule §116 Response because the amendment of claim 23 incorporates subject matter that is believed to have already been allowed, because the amendment of claims 39-40, 51, 57, 61 and 63 places these claims into condition for allowance as noted in the Office Action, and because none of the amendments require any further search by the Examiner since no new features are being added and since no new issues are being raised.

The Manual of Patent Examining Procedures sets forth in Section §714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section §714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 23-26, 28-37, 41-40, 52-55, 58, 60, 62 and 64 are rejected under 35 U.S.C. §102(b) as being anticipated by Lee et al (European Patent 1035423). These rejections are overcome.

Regarding the rejection of claim 23, it is noted that claim 23 has been amended and now recites the formula of objected to claim 38, which is understood to be allowable. Thus, claim 23 is also believed to be allowable.

Regarding claims 24-26, 28-37, 41-40, 52-55, 58, 60, 62 and 64, it is noted that these claims depend from claim 23 and that, therefore, these claims are also believed to be allowable.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 27, 38 and 59 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lee et al (European Patent 1035423). However, since these claims depend from claim 23, these claims are believed to be allowable for at least the reasons set forth above.

ALLOWABLE SUBJECT MATTER:

Claims 1, 3-12, 14-17 and 19-22 have been allowed. Claims 39-40, 51, 57, 61 and 63 have been found to contain allowable subject matter and have been written in independent form. As such, it is believed that claims 39-40, 51, 57, 61 and 63 are in condition to be formally allowed.

CONCLUSION:


There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited. If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Finally, if there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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